

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

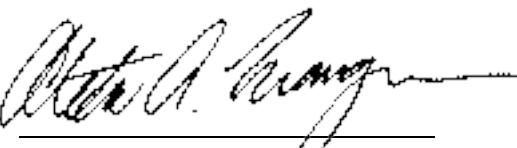
DAVE BRAINARD, )  
JUSTIN FAGERHAUG pka DUSTIN )  
EVANS,, and TIM ) Case No. 3:07-0929  
MATHEWS, ) Judge Trauger  
 )  
 Plaintiffs, )  
 )  
 v. )  
 )  
 PHIL VASSAR, CRAIG )  
 WISEMAN, )  
 PHYLVESTER MUSIC, INC., )  
 BIG LOUD SHIRT INDUSTRIES, )  
 L.L.C. BMG MUSIC, )  
 and PROCTER & )  
 GAMBLE COMPANY, )  
 )  
 Defendants. )

ORDER

For the reasons expressed in the accompanying Memorandum, the Motion for Summary Judgment of defendants Phil Vassar, Craig Wiseman, Phylvester Music, Inc., Big Loud Shirt Industries, LLC, BMG Music, and Procter & Gamble Company (Docket No. 71) is **GRANTED**. The Motion for Summary Judgment of defendant Procter & Gamble (Docket No. 67) and the defendants' Motion to Strike (Docket No. 107) are **DENIED AS MOOT**. This case is **DISMISSED**.

It is so ordered.

Enter this 29<sup>th</sup> day of April 2009.



ALETA A. TRAUGER  
United States District Judge